

Our ref: IRF25/2512

Mr Mark Dupé
Interim Chief Executive Officer
Berrigan Shire Council
56 Chanter Street
Berrigan NSW 2712

28 November 2025

Subject: Planning proposal PP-2025-2139 to amend Berrigan Local Environmental Plan 2013

Dear Mr Dupé

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the Environmental Planning and Assessment Act 1979 (the Act) in respect of the reclassification of two Council-owned land parcels in Tocumwal from community land to operational land.

As delegate of the Minister for Planning and Public Spaces, I have determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

In relation to Direction 5.2 Reserving Land for Public Purposes, I have agreed to the reduction of land reserved for a public purpose on the basis that the planning proposal is consistent with this direction, as it seeks approval to reclassify land that no longer serves a public or community function. The reclassification will allow the land to be managed or disposed of in a manner consistent with its zoning and strategic purpose.

No further approval is required in relation to the Directions.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed local environmental plan (LEP) is to be finalised on or before 7 October 2026. Council should aim to commence the exhibition of the planning proposal as soon as possible. Should Council seek to make a proposed LEP, the request to draft the LEP should be made directly to Parliamentary Counsel's Office well in advance of the date the LEP is projected to be made. A copy of the request should be forwarded to the Regional Team within the Department of Planning, Housing and Infrastructure.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the Gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning, Housing and Infrastructure, August 2023) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Bec Martin to assist you. Ms Martin can be contacted on 5852 6810.



Chantelle Chow
Director Southern, Western and Macarthur Region
Local Planning and Council Support

Encl: Gateway determination